

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

|   |   |                             |
|---|---|-----------------------------|
| <b>DANNY L. JOHNSON,</b>                  | ) |                             |
|   | ) |                             |
| <b>Plaintiff,</b>                         | ) |                             |
|   | ) |                             |
| <b>vs.</b>                                | ) | <b>CIVIL NO. 03-719-GPM</b> |
|   | ) |                             |
| <b>CHARLES RUBRIGHT, JERIBYERLEY, and</b> | ) |                             |
| <b>LARRY BROEKING,</b>                    | ) |                             |
|   | ) |                             |
| <b>Defendants.</b>                        | ) |                             |

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This action came before the Court on a motion for summary judgment filed by Defendant Rubright (Doc. 14).

**IT IS ORDERED AND ADJUDGED** that pursuant to the Court's September 1, 2006 Memorandum and Order, Magistrate Judge Wilkerson's Report and Recommendation (Doc. 21) is **ADOPTED**, and all claims against Defendant Rubright are **DISMISSED on the merits**.

**IT IS FURTHER ORDERED AND ADJUDGED** that the claims against Defendants Byerley and Broeking are **DISMISSED on the merits** pursuant to Order filed on June 13, 2005 (Doc. 4).

**IT IS FURTHER ORDERED AND ADJUDGED** that this entire action is **DISMISSED with prejudice**, all claims having been resolved on the merits. The parties shall bear their own costs.

**DATED:** 9/1/2006

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook  
Deputy Clerk

APPROVED: s/ G. Patrick Murphy  
G. PATRICK MURPHY  
CHIEF U.S. DISTRICT JUDGE